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February 16<sup>th</sup>, 2019

The Honorable Gabriel W. Gorenstein  
United States District Court  
Southern District of New York - Courtroom 6B  
500 Pearl Street  
New York, New York 10007

Re: Antolini vs. Gautier-Winther et al  
Case No.: 1:18-cv-02942-LGS

Dear Judge Gorenstein:

I write in opposition to Defense counsel's request for yet another extension of time. Moreover, defense counsel supports her request under the guise that the Defendants' Expert inspection was/is contingent on Plaintiff being produced for a deposition. This disingenuous position is unfortunate. I have already sent Plaintiff's Expert' Report to the defense, as well as providing Plaintiff's Expert Disclosure Pursuant to Rule 26(a)(2) on February 6, 2019. I respectfully ask the Court to deny defendants' application to another extension of time to identify and provide a report.

Defendants, by their own actions have waived their right to Plaintiff's deposition by violating the court order that it be held by February 15, 2019. Further, by seeking Court intervention at approximately 4:00 p.m. on the very last day as provided by the order, strains credibility. Defense counsel's remarks that I didn't respond to her is simply not true. For the past two weeks there are countless emails back and forth about these depositions being held. I had no scheduling issues.

Moreover, defense counsel stated that she would only produce one defendant, in spite of their being four named defendants.

Respectfully submitted,

  
Stuart H. Finkelstein

SHF/tc  
To all Counsel of record via ECF